

**IN THE MUNICIPAL COURT OF MIAMISBURG, OHIO
CRIMINAL DIVISION**

STATE OF OHIO

Plaintiff,

vs.

DOB: __/__/__, SSN: xxx-xxx-_____

Defendant.

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CASE NO:

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Judge Robert W. Rettich, III

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**APPLICATION FOR
EXPUNGEMENT AND/OR
ORDER TO SEAL RECORD
(ORC §2953)**

NOW COMES the Defendant herein, who makes application for an Order of Expungement and/or Order to Seal Record, pursuant to Sections 2953.31 through 2953.55 of the Ohio Revised Code, which sections provide for the expungement and sealing of the record of an eligible misdemeanor conviction, or of a non-conviction, as a result of dismissal or not guilty finding.

If this application is being made to expunge a conviction, the Defendant states that they have fulfilled all sentencing provisions, and that more than one year has passed since the Defendant was released from probation.

The Defendant contends that he/she is entitled to an Order of Expungement and/or Order to Seal Record, because he/she meets all of the prerequisites provided in the Ohio Revised Code, to wit: (1) Defendant is an eligible offender; (2) that there are no criminal proceedings pending against the Defendant; (3) that the Defendant's rehabilitation has been attained; and (4) that the expungement of this record of conviction is consistent with the public interest.

WHEREFORE, the Defendant respectfully moves this Court to set the matter for hearing, and for an Order expunging and/or sealing this record.

DEFENDANT'S SIGNATURE

Phone No(s): _____

**Miamisburg Municipal Court
10 N. First Street
Miamisburg, OH 45342**

Notification of expungement or sealing of records by qualified third party

In addition to your application fee to have your records sealed in the Miamisburg Municipal Court, you can also request to have a third party company contact consumer reporting agencies that have databases that include publically available records of convictions of crimes. (ORC 2953.32, 2953.37, 2953.38, 2953.53)

If you are granted your criminal record expunged or sealed by the court, private background check companies could still be reporting your criminal record for up to a year or more to potential employers, landlords, or anyone else who purchases a background check on you. The Ohio legislature passed a law (O.R.C. 109.38) which authorized the Attorney General to select a vendor, Higbee and Associates, to instruct background check companies to promptly remove your sealed or expunged records. Other section of the Ohio Revised Code for reference are ORC 2953.32, 2953.37, 2953.38, 2953.53.

1. Cost to send notification of sealing of records to Higbee & Associates - **\$45.00**
2. This fee must be paid at the same time that you pay the application fee for the sealing of records.
3. The optional **\$45.00** will be returned if your sealing of records is denied by the judge.

I have read the above information and choose:

I **agree** to have my sealing sent to Higbee & Associates (\$45.00)

I **opt out** to have my sealing sent to Higbee & Associates

Signature

Signature

Address

Address

City/State/Zip

City/State/Zip

Case No.

Case No.

Date

Date

DISCLAIMER: If you **OPT IN** to this program with Higbee & Associates, the Miamisburg Municipal Court does not guarantee that every record of your case will be completely eradicated from all data repositories. If you have any questions or concerns regarding the effectiveness of this program, please contact Higbee & Associates at <http://www.RecordGone.com/erus>.